

REMARKS

By the above amendment, independent claims 1, 11 and 15 have been amended to clarify features of the present invention, and a new dependent claim 22 has been presented.

With regard to the claims which stand withdrawn from consideration, applicants consider that claims 1, 11 and 15, as amended are readable on at least one additional species in addition to the species elected and therefore may be considered generic or sub-generic thereto and upon allowance of such claims, consideration to the dependent claims which stand withdrawn from consideration is requested. Further, new dependent claim 22 is considered to be readable on the elected species.

By the above amendment, independent claims 1, 11 and 15 have been amended to clarify features of the present invention as illustrated in the elected Species III of Fig. 6A and 6B. More particularly, as recited in claim 1, as amended, the liquid crystal display device includes a pair of substrates having the liquid crystal layer disposed therebetween, at least a first conductive layer CT formed on one of the pair of substrates and at least a first insulating layer GI formed on the first conductive layer as shown in Fig. 6B. A plurality of drain signal lines DL are formed on the first insulating layer with a second insulating layer PAS being formed on a drain signal line, and at least a second conductive layer TCL formed on the second insulating layer and elongated substantially along the drain signal line as illustrated in Figs. 6A and 6B. As now more clearly recited in claim 1, the first conductive layer CT is elongated substantially along the drain signal line and has a plurality of first regions CTE which overlap with the drain signal line, and a second region which is arranged between the plurality of first regions which does not overlap with the drain

signal line. Furthermore, the second conductive layer TCL is offset from the drain signal line proximate to the first regions of the first conductive layer as represented by the offset portion CUT as illustrated in Fig. 6A, and is overlapped with the drain signal line proximate to the second region of the first conductive layer, as clearly illustrated in Fig. 6A and described at page 18 of the specification of this application.

It is noted that independent claim 11 has been amended to also define the feature that the first conductive layer CT is elongated substantially along the drain signal line and has a plurality of first regions which overlap with the drain signal line and a second region which is arranged between the plurality of first regions and which does not overlap with the drain signal line and that the second conductive layer is elongated substantially along the drain signal line in overlapping relation to the drain signal line proximate to the second region of the first conductive layer. Further, claim 11 recites the feature that a width of the second conductive layer proximate to the first regions of the first conductive layer that is, the width of the second conductive layer at CUT which is proximate to the first regions CTE of the first conductive layer is smaller than a width of the second conductive layer TLC proximate to the second region of the first conductive layer, as clearly illustrated in Fig. 6A, for example.

Claim 15 has been amended to recite the feature that the first conductive layer CT is elongated substantially along the drain signal line to clarify the arranged as illustrated in Fig. 6A noting that claim 15 recites the feature of a second conductive layer TLC formed on the second insulating layer and elongated substantially along the drain signal line in overlapping relation to the drain signal line wherein the second conductive layer has a hole at the overlapping region of the first conductive layer and the drain signal line which overlapping region is represented by

the region of CTE of the first conductive layer and the hole is represented by CUT. Applicants note that a new dependent claim 22 dependent upon claim 15 has been presented which further defines the first conductive layer as having a plurality of first regions in overlapping relation with the drain signal line and the second region between the plurality of first regions and which does not overlap with the drain signal line. Applicants submit that newly added dependent claim 22 is also readable on the elected Species III.

As to the rejection of claims 1 - 3 under 35 USC 102(b) as being anticipated by Hanazawa et al (US Patent No. 5,953,088) and the rejection of claims 1 - 3, 9 - 13, 15, 16, 19 and 21 under 35 USC 102(b) as being anticipated by Ohta et al (US Patent No. 6,208,399), such rejections are traversed insofar as they are applicable to the present claims and reconsideration and withdrawal of the rejections are respectfully requested.

As to the requirement to support a rejection under 35 USC 102, reference is made to the decision of In re Robertson, 49 USPQ 2d 1949 (Fed. Cir. 1999), wherein the court pointed out that anticipation under 35 U.S.C. §102 requires that each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference. As noted by the court, if the prior art reference does not expressly set forth a particular element of the claim, that reference still may anticipate if the element is "inherent" in its disclosure. To establish inherency, the extrinsic evidence "must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill." Moreover, the court pointed out that inherency, however, may not be established by probabilities or

possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient.

Turning first to Hanazawa et al and the Examiner's contentions concerning the structural arrangement thereof with regard to the features of claim 1, applicants submit that Hanazawa et al does not disclose in the sense of 35 USC 102 that the first conductive layer, considered by the Examiner to be element 53 in Figs. 3 and 4 of Hanazawa et al, to have a plurality of first regions which overlap with the drain signal line and a second region which is arranged between the plurality of first regions and which does not overlap with the drain signal line. Furthermore, although the Examiner contends that the second conductive layer, is represented by element 51 in Figures 3 and 4 of Hanazawa et al, is offset from the overlapping region of the first conductive layer and the drain signal line, applicants submit that Hanazawa et al does not disclose or teach in the sense of 35 USC 102 that the second conductive layer is offset from the drain signal line proximate to the first regions of the first conductive layer and is overlapped with the drain signal line proximate to the second region of the first conductive layer. Thus, applicants submit that claim 1 and the dependent claims thereof patentably distinguish over Hanazawa et al in the sense of 35 USC 102 and should be considered allowable thereover.

With respect to Ohta et al, applicants note that the Examiner contends that a first conductive layer is represented by element CL-q3 as illustrated in Figures 1 and 4 of Ohta et al. Applicants note that CL-q3 is indicated as a counter line and such extends in a direction transverse to the drain line DL. Thus, applicants submit that the first conductive layer as identified by the Examiner in Ohta et al does not correspond to the claimed features of each of claims 1, 11 and 15 and the dependent claims which recites the feature that the first conductive layer is

elongated substantially along the drain signal line. Additionally, while the Examiner refers to element CT as shown in Figures 1 and 2 of Ohta et al as a second conductive layer and that the second conductive layer is offset from the overlapping region of the first conductive layer and the drain signal line referring to Figures 1 and 4 of Ohta et al, applicants submit that Ohta et al does not disclose or teach in the sense of 35 USC 102 that the first conductive layer has a plurality of first regions which overlap with the drain signal line, and a second region which is arranged between the plurality of first regions and which does not overlap with the drain signal line nor that the second conductive layer is in overlapping relation to the drain signal line proximate to the second region of the first conductive layer, as recited in independent claims 1 and 11. Furthermore, irrespective of the contentions by the Examiner, applicants submit that Ohta et al does not disclose that the second conductive layer is offset from the drain signal line proximate to the first regions of the first conductive layer while being overlapped with the drain signal line proximate to the second region of the first conductive layer, as recited in claim 1 and the dependent claims of this application. Irrespective of the Examiner's contentions, it is not seen that Ohta et al discloses the structural arrangement as recited in each of independent claims 1, 11 and 15, as amended, wherein the second conductive layer has an offset at the particular location, as recited in claim 1, a width proximate to the first region of the first conductive layer which is smaller than a width proximate to the second region of the first conductive layer as recited in claim 11, or having a hole at the overlapping region of the first conductive layer and the drain signal line, as recited in claim 15. That is, Ohta et al does not disclose an offset hole, or the different widths at the recited positions in the sense of 35 USC 102. Thus, applicants submit that each of independent claims 1, 11 and 15 and therewith the

dependent claims patentably distinguish over Ohta et al in the sense of 35 USC 102 and should be considered allowable thereover.

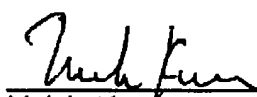
With respect to the dependent claims whether such claims are under consideration or stand withdrawn from consideration, such claims recite additional features, which when considered in conjunction with the parent claims patentably distinguish over the cited art and should be considered allowable with the parent claims.

For the foregoing reasons, applicants submit that all claims present in this application patentably distinguish over the cited art and should be considered allowable at this time.

To the extent necessary, applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (Case: 501.42956X00), and please credit any excess fees to such deposit account.

Respectfully submitted,

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